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COORDINATION OF DRUG-RELATED ACTIVITIES AND COOPERATION BETWEEN THE UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME AND THE CRIME PREVENTION AND CRIMINAL JUSTICE BRANCH OF THE SECRETARIAT**

Note by the Secretariat

Summary

The present document describes the follow-up to the requests contained in Commission on Narcotic Drugs resolutions 8 (XXXVI) and 10 (XXXVI). Cooperation between the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch continued in 1993 and took the following forms: identification of areas where collaboration could be strengthened in the matter of legal assistance, joint participation in two seminars, preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to be held in 1995 and for a seminar in the United Kingdom, and finalization of a project for coordinating criminal justice and drug control activities at the national level.

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** This document has been translated from an unedited original.

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Introduction

1. At its thirty-sixth session, the Commission on Narcotic Drugs examined ways of improving cooperation between the United Nations International Drug Control Programme (UNDCP) and the Crime Prevention and Criminal Justice Branch (CPCJB). In that connection, the Commission adopted resolution 10 (XXXVI), in which the Executive Director of UNDCP was requested:

- In his capacity as Director-General of the United Nations Office at Vienna, to coordinate the activities of the Programme and those of the Crime Prevention and Criminal Justice Branch (paragraph 4); and also

- To report to the Commission on Narcotic Drugs at its thirty-seventh session and to the Commission on Crime Prevention and Criminal Justice at its third session on the most appropriate ways to achieve effective and efficient coordination and cooperation between those two bodies (paragraph 6).

Coordination of activities in 1993

2. The Crime Prevention and Criminal Justice Branch participated in the work of the Expert Working Group on Mutual Legal Assistance and Related International Confiscation at its meeting organized by UNDCP in February 1993 at Vienna. The group examined the difficulties encountered by States in implementing mutual legal assistance and confiscation measures. With the assistance of 28 experts and observers, an inventory was drawn up of existing legislative provisions, regional agreements and bilateral treaties, the outcome of which was the formulation of a series of recommendations.

3. In March 1993, the Crime Prevention and Criminal Justice Branch participated in the Interregional Investigation Techniques Course on Money Laundering organized in Malta by UNDCP for law enforcement agents. This training seminar was arranged for 26 representatives of the law enforcement services of eight countries. In October 1993, UNDCP participated in the expert working group meeting organized by the Crime Prevention and Criminal Justice Branch on the implementation of United Nations model treaties on judicial cooperation.

4. In addition, a number of joint projects for the future are currently being prepared by UNDCP and the Crime Prevention and Criminal Justice Branch.

5. At the request of the Crime Prevention and Criminal Justice Branch, UNDCP has agreed to assist in the organization and financing of a seminar due to take place in March 1994 at the Centre for Development Studies at the University College of Swansea, United Kingdom, for the purpose of establishing priorities in the areas of criminal justice and drug control. This seminar will be subsidized by a British governmental organization, the Overseas Development Administration.

6. UNDCP has participated in the first regional preparatory meeting (Bangkok) for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1995. UNDCP intends to join in the efforts to draw up a multi-institutional document on the links existing between drugs and crime. It will also be represented at the other preparatory meetings.

7. Finally, with regard to the modernization and the improvement of the efficiency of national judicial systems in their efforts to combat drug trafficking, as referred to in resolution 8 (XXXVI) adopted by the Commission on Narcotic Drugs at its thirty-sixth session, a project currently in the process of finalization is aimed at improving the coordination of criminal justice and drug control activities in order to deal with the heavy burden imposed by drugs on the judicial system, particularly with regard to prisons. Initially, this will involve the organization and coordination of the work of consultants who are to identify the various mechanisms in operation in different regions, with a view to making them available to countries wishing to adapt them to their own situation.

Seeking ways of coordination

8. As regards seeking the most appropriate ways to achieve effective coordination, the Executive Director organized a meeting, as a result of which a working group, led by two senior officials of the two bodies, was set up with the tasks of identifying areas where cooperation between UNDCP and the Crime Prevention and Criminal Justice Branch could be strengthened and of drawing up proposals concerning the forms that such strengthening of cooperation could take.

9. In December 1993, the working group prepared a guideline document, which lists four areas of cooperation with the Crime Prevention and Criminal Justice Branch:

(a) Incorporation of anti-drug legislation in national penal codes;

(b) Action to combat money laundering and organized crime in general;

(c) Consideration to be given to the requirements regarding protection of individual liberties in the drafting of anti-drug legislation;

(d) Preparation of guidelines and manuals on international mutual assistance in criminal matters.

10. From a technical point of view, joint work on these four points is scheduled to begin in the first quarter of 1994. This will make it possible to respond to the precise needs that have been identified, particularly with regard to legal assistance. The weaknesses observed in many States in connection with legislative and judicial mechanisms to combat drugs in fact often stem from more general shortcomings affecting the entire criminal justice system. The assistance to be provided will accordingly be all the more effective since it will be carried out in a concerted manner by organizations acting jointly on these two levels.